

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

LEA MÁRQUEZ PETERSON– CHAIRWOMAN
SANDRA D. KENNEDY
JUSTIN OLSON
ANNA TOVAR
JIM O’CONNOR

IN THE MATTER OF:

DOCKET NO. S-21108A-20-0181

MY TRADER COIN, a.k.a. MTCoin, a.k.a.
mytradercoin.com, a foreign entity,

NOW MINING, LLC, an Arizona limited liability
company,

JONATHAN SIFUENTES SAUCEDO, an individual,

MARIO E. MAGANA SOSA and Alejandra Sosa,
husband and wife,

MOISES HERRERA, SR. and Yolanda Herrera,
husband and wife,

CARLOS PARRA and Noahmi Parra, husband and
wife,

Respondents.

SIXTEENTH PROCEDURAL
ORDER
(Regarding Format for Hearing)

BY THE COMMISSION:

On June 18, 2020, the Securities Division (“Division”) of the Arizona Corporation Commission (“Commission”) filed a Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, Order for Restitution, Order for Administrative Penalties, and Order for Other Affirmative Action (“Notice”) against My Trader Coin, Now Mining, LLC (“Now Mining”), Jonathan Sifuentes Saucedo, Mario Sosa, Moises Herrera, and Carlos Parra (collectively “Respondents”), in which the Division alleged violations of the Securities Act of Arizona, A.R.S. § 44-1801 et seq. (“Securities Act”) which resulted in the opening of this docket.

On February 2, 2022, by Procedural Order, a hearing was scheduled to be held on August 22, 2022, and continued as necessary on August 23, 24, 25, 26, 29, 30 and 31, 2022. In keeping with COVID-19 guidance from the U.S. Centers for Disease Control, the Commission has reopened its buildings to the public. Because of this, the Commission has determined that it is appropriate to provide

the parties to each Division case that will have a hearing the option to have their representatives and witnesses attend and participate in the hearing in person or remotely via WebEx. The format for the hearing in this matter has not yet been established. Thus, the Commission is requiring each party to make a filing identifying the manner in which each party representative and each of the party's witnesses will participate during the hearing. The Commission also is establishing the attendance limits for each hearing room. Finally, to ensure clarity regarding the procedural requirements that apply with in-person versus remote participation, the Commission is establishing the procedural requirements that must be met with each form of participation. If a party does not make a filing identifying the manner in which its representatives and witnesses will participate during the hearing, the Commission will expect the representatives and witnesses to participate in person.

IT IS THEREFORE ORDERED that a **hearing in this matter remains scheduled to commence on August 22, 2022, at 10:00 a.m. and continuing, as necessary, on August 23, 24, 25, 26, 29, 30 and 31, 2022, at 9:00 a.m.**

IT FURTHER ORDERED that the **Division and Respondents shall** examine their Exhibits and **redact personally identifying information¹** from those Exhibits before exchanging them and providing them to the presiding Administrative Law Judge.

IT IS FURTHER ORDERED that **by July 22, 2022, the Division and Respondents shall:**

- **Exchange copies of their Witness Lists and copies of their redacted and labeled Exhibits;**
- and
- **Deliver to the Hearing Division a copy of their Witness Lists, two physical copies of all redacted and labeled Exhibits and a zip drive containing all redacted and labeled Exhibits, by no later than 4:00 p.m.**

IT IS FURTHER ORDERED that the following **maximum in-person attendance** shall be

¹ Examples of personally identifying information include social security numbers, complete account numbers, complete residential addresses, complete email addresses, complete birthdates, complete credit card or debit card numbers, complete telephone numbers, complete employee identification numbers, and complete identification card numbers. Examples of permissible redaction would be blacking out the street address and zip code while leaving city and state, or blacking out the domain name of an email address. Identifying numbers should be redacted in their entirety unless the numbers themselves are offered as probative evidence, in which case examples of permissible redaction would include blacking out all but the last 4 digits of an account or identification number, or blacking out the first 6 digits of a telephone number.

enforced for the Commission's hearing rooms:

Hearing Room	Hearing Room 1 Phoenix	Hearing Room 2 Phoenix	Room 222 Tucson
Maximum Attendance	50	25	25

IT IS FURTHER ORDERED that **each party shall, by July 22, 2022, file in this docket a Notice** indicating the manner in which each of the party's representatives and each of the party's witnesses will participate in the hearing (in-person or by videoconference via WebEx).

IT IS FURTHER ORDERED that **each party whose representative is participating via WebEx shall comply with the following requirements:**

- At a time designated by the Commission's broadcasting personnel as specified in an emailed WebEx invitation, each party representative planning to participate via videoconference, and who has not successfully participated via videoconference in a prior Commission hearing, shall log into and participate in a brief WebEx test to ensure that the party representative has the technological capability to participate in a proceeding via WebEx.
- At least 15 minutes before the starting time on each day of hearing, each party representative appearing via videoconference shall log into the WebEx event for the day, using the WebEx invitation sent to the party representative by the Commission's broadcasting personnel.

IT IS FURTHER ORDERED that **each party with a witness testifying via WebEx shall comply with the following requirements:**

- At a time designated by the Commission's broadcasting personnel as specified in an emailed WebEx invitation, each party shall have each witness planning to participate via videoconference, and who has not successfully participated via videoconference in a prior Commission hearing, log into and participate in a brief WebEx test to ensure that the witness has the technological capability to participate in a proceeding via WebEx.
- At least 15 minutes before the starting time on each day of hearing, each party with witnesses testifying via videoconference shall forward the WebEx invitation for the day to each of the party's witnesses who is reasonably expected to testify via WebEx on that day.

- Each party with witnesses testifying via videoconference shall ensure that whenever any of the party's witnesses is expected or scheduled to testify, that party witness is logged into the WebEx event for the day, at least 15 minutes in advance of the time for the witness's expected or scheduled testimony, and has ready access to all exhibits about which that witness will be questioned. A party anticipating that it will use exhibits on cross-examination shall identify those exhibits to the opposing party representative in advance so the witness will have ready access to the cross-examination exhibits. "Ready access" means that the party's witness is able to view specific pages of an exhibit promptly when requested to do so. *This may require the party representative to provide the party's witness hard copies or downloaded copies of exhibits in advance so that it is not necessary for the party's witness to download them during the hearing.*

IT IS FURTHER ORDERED that a party **may, by July 22, 2022, file a motion** requesting permission for a party representative or witness **to appear telephonically** for hearing and explaining the good cause for the request and why the representative's or witness's telephonic appearance will not adversely impact the Commission or any other party to this matter. Any telephonic appearance must be approved by the Administrative Law Judge.

IT IS FURTHER ORDERED that any motion, other than a dispositive motion, that is filed in this matter and that is not ruled upon within 20 calendar days of the filing date of the motion shall be deemed denied.

IT IS FURTHER ORDERED that for any motion **filed before July 23, 2022**, any response to the motion shall be filed within **14 calendar days** of the filing date of the motion.

IT IS FURTHER ORDERED that for any motion **filed on or after July 23, 2022**, any response to the motion shall be filed within **seven calendar days** of the filing date of the motion.

IT IS FURTHER ORDERED that any reply to a response shall be filed within **five calendar days** of the filing date of the response.

IT IS FURTHER ORDERED that each party or prospective party shall **refer to the**

1 **Commission's website** for information regarding **Global Consent to Email Service² and How to**
2 **Follow the Docket.**³ Information regarding Global Consent to Email Service and How to Follow the
3 Docket is available on the Commission's website (www.azcc.gov) by clicking on "**I Want To**" and
4 then clicking on "**Globally Consent to Email Service**" or "**Follow a Docket or Document Type.**"

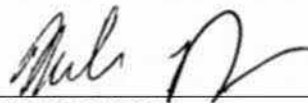
5 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
6 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
7 Supreme Court Rule 42). Representation before the Commission includes the obligation to appear at
8 all hearings, procedural conferences, and Open Meetings for which the matter is scheduled for
9 discussion, unless counsel has previously been granted permission to withdraw by the Administrative
10 Law Judge or Commission.

11 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
12 31, 31.1, 31.2, 31.3, 38, 39, and 42 with respect to the practice of law and admission *pro hac vice*.

13 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
14 Communications) applies to this proceeding and shall remain in effect until the Commission's Decision
15 in this matter is final and non-appealable.

16 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or
17 waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
18 hearing.

19 DATED this 23rd day of May, 2022.

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21 MARK PRENY
22 ADMINISTRATIVE LAW JUDGE
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27 ² Global Consent to Email Service allows a party to consent to receive email service in all cases for which the party is
included on the service list, now or in the future.

28 ³ The "Follow a Docket" service allows any person to receive email notice, with a link to the filing, whenever something is
filed in the docket. The service can be used to follow one or many dockets.

On this 23rd day of May, 2022, the foregoing document was filed with Docket Control as a Procedural Order – Sets Miscellaneous Filing Dates, and copies of the foregoing were mailed on behalf of the Hearing Division to the following who have not consented to email service. On this date or as soon as possible thereafter, the Commission's eDocket program will automatically email a link to the foregoing to the following who have consented to email service.

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Consented to Service by Email

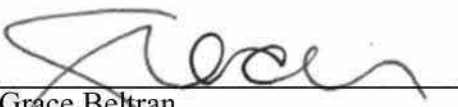
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Emailed as a courtesy

By:


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Assistant to Mark Preny